

**FEDERAL PUBLIC DEFENDER**

NORTHERN DISTRICT OF CALIFORNIA  
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September 4, 2008

VIA FACSIMILE (510) 637-3545  
Magistrate Judge Wayne D. Brazil  
1301 Clay Street, Courtroom No. 4  
Oakland, CA 94612  
attn: Ivy Garcia

**United States v. Robert Thomas Doyle, CR 08-00021 CW**

**RE: Request to calendar matter on Sept 5, 2008 for modification of release conditions**

Dear Judge Brazil :

I am writing to ask that this matter be placed on Your Honor's calendar on Friday, September 5, 2008 for requested modification of release conditions. Mr. Doyle is requesting that he be allowed to leave the half-way house on Friday, September 5, 2008 and return on Monday, September 8, 2008, so that he can go to Sacramento, California to stay with his sister Linda and visit with him mother. Mr. Doyle traveled to Sacramento a few weeks ago after his mother became sick and was hospitalized after she stopped eating. I just spoke with Mr. Doyle's sister, Linda, who said that Mr. Doyle's mother had a stroke within the last couple of days and has pulled out her feeding tube. The family plans to discuss the matter tomorrow and will likely not replace the feeding tube but instead, put Ms. Mary Doyle in hospice. Obviously, this is a time when Mr. Doyle should be there with his family.

I spoke with United States Pretrial Officer Victoria Gibson who asked that I place the matter on Your Honor's calendar tomorrow so that you can consider the matter. Ms. Gibson is concerned because the half-way house indicated that on Sunday, August 31, 2008 while Mr. Doyle was visiting with his family, a woman who refused to identify herself called and said that Robert Doyle was threatening her, appeared to have a conversation with someone and then hung up. I asked Mr. Doyle about the incident and he denies that any such encounter occurred. He indicated that his girlfriend, Rhonda, picked him up directly from the half-way house with his family, they spent the day at Fisherman's Wharf and she then dropped him off afterward. Mr. Doyle will try and have Rhonda come to court tomorrow. I asked if it could have been the mother of his 6 year old but he said that she and he have been getting along well and he doesn't think she would make such a call. When I asked him who might have called, he indicated that Rhonda's sister doesn't like him very much and she might have made such a call although he did not have any such interaction with her on Sunday.

Honorable Judge Wayne D. Brazil  
Page 2  
September 4, 2008

United States Pretrial Services Victoria Gibson will be available for court tomorrow. In addition, although Assistant United States Attorney Thomas Moore is out of the office for the week, I spoke with his colleague, David Denier. Mr. Denier will either be present at the hearing or will have someone else stand in at court.

Sincerely,

BARRY J. PORTMAN  
Federal Public Defender

JOYCE LEAVITT  
Assistant Federal Public Defender

cc: David Denier, AUSA  
Victoria Gibson, US Pretrial Services